IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7732 of 2005

Between:

Smt. S.Shum Shunnisa, W/o. Late Abdul Allam,
H.No.125 LIG-II, A.P.H.B.Colony, B.Camp, Kurnool, Kurnool Dist.

..... PETITIONER

AND

1 The Regional Provident Fund Commissioner, Barkatpura, Hyderabad.
2 The Asst. Provident Fund Commissioner, R.S.Road, Cuddapah.
3 The Managing Director, Panyam Cemets, Cementnagar,
Buggnapalli R.S., Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the action of respondents in not sanctioning family pension to the petitioner from the date of retirement of petitioner husband as illegal, arbitrary and contrary to the rules and consequently direct the respondents to sanction family pension to the petitioner from the date of her husband's retirement by considering petitioner's representation dt.20.03.2003 with arrears till today.

Counsel for the Petitioner: MR.K.VENKATESWARLU

Counsel for the Respondents: MR.R.N.REDDY (SC FOR EMPLOYEES' PF ORG.) - Not present

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not sanctioning family pension to the petitioner from the date of retirement of the petitioner's husband as illegal and arbitrary.

Heard the learned counsel for the petitioner and perused the material on record.

The learned counsel for the petitioner is only seeking for an innocuous prayer for consideration of her representation, dated 20.3.2003 in accordance with law.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the respondents to take appropriate decision on the petitioner's representation, dated 20.3.2003 if it is pending, within a period of four weeks from the date of receipt of a copy of this order. If no such representation is pending, the petitioner is at liberty to submit a fresh representation to the respondents.

With the above direction, the writ petition is disposed of. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

13th April, 2005

bcj

To

1 The Regional Provident Fund Commissioner, Barkatpura, Hyderabad.
2 The Asst. Provident Fund Commissioner, R.S.Road, Cuddapah.
3 The Managing Director, Panyam Cemets, Cementnagar,
Buggnapalli R.S., Kurnool District.

4 Two C.D. copies.

Note: Furnish copy in three days.

b/o

bcj